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09/657,250	09/06/2000	Ludovic Pierre	5266-02600	9855
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OPTV/MEYERTONS RORY D. RANKIN P.O. BOX 398 AUSTIN, TX 78767-0398			EXAMINER SHANG, ANNAN Q	
			ART UNIT 2623	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 09/657,250  
Filing Date: September 06, 2000  
Appellant(s): PIERRE ET AL.

**MAILED**

**JAN 02 2008**

**Technology Center 2600**

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**RORY D. RANKIN**  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 08/27/07 appealing from the Office action mailed 02/23/07.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

6,598,136	POHLMANNA ET AL.	9-2002
5,699,107	LAWLER ET AL.	12-1997

6,598,169	WARWICK ET AL.	7-2003
6,108,695	CHAWLA	8-2000
6,636,901	SUDHAKARAN ET AL.	10-2003
2003/0159150	CHERNOCK ET AL.	8-2003

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-2, 4, 7-9, 12-15 and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Pohlmann et al (6,446,136)** in view of **Warwick et al. (6,598,169)**. This rejection is set forth in prior Office Action, mailed on 02/23/07.

Claims 1, 5, 22-25 and 28-29 rejected under 35 U.S.C. 103(a) as being unpatentable over **Lawler et al. (US Pat No 5,699,107)** in view of **Pohlmann et al (6,446,136)** further in view of **Warwick et al (6,598,169)**. This rejection is set forth in prior Office Action, mailed on 02/23/07.

Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lawler et al.** in view of **Pohlmann et al (6,446,136)** in further view of **Warwick et al. (6,598,169)** and in further view of **Chawla (6,108,695)**. This rejection is set forth in prior Office Action, mailed on 02/23/07.

Claim 11, is **Pohlmann et al (6,446,136)** in view of **Warwick et al. (6,598,169)** and in further view of **Sudhakaran et al (6,636,901)**. This rejection is set forth in prior Office Action, mailed on 02/23/07.

Claims 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Pohlmann et al (6,446,136)** in view of **Warwick et al. (6,598,169)** and in further view of

**Chernock et al (2003/0159150)**. This rejection is set forth in prior Office Action, mailed on 02/23/07.

**(10) Response to Argument**

With respect to claims 1-2, 4, 7-9, 12-15 and 17-21 rejected under 35 U.S.C. 103(a) as being unpatentable over **Pohlmann et al (6,446,136)** in view of **Warwick et al. (6,598,169)**, Claims 1, 5, 22-25 and 28-29 rejected under 35 U.S.C. 103(a) as being unpatentable over **Lawler et al. (US Pat No 5,699,107)** in view of **Pohlmann et al (6,446,136)** further in view of **Warwick et al (6,598,169)** and the various 103(a) rejections, appellant traverses the rejections, recites features of the claim limitations, cites a few portions in Pohlmann reference, discusses the office action and further argues that, "...Pohlmann does not disclose such features..." that "...nowhere does Pohlmann disclose the event correlator is 'configured to register a plurality of event bookings in response to requests from one or more clients, wherein each said event booking identifies an event which may occur in the future and an action to be taken should the identified event occur.' Neither does the remaining cited art disclose such features." that "...Pohlmann does not disclose the event booking in the manner recited" and further argues that "...one would not be motivated to modify Pohlmann as suggested by the examiner."(see page 10 of 24+ of Appellant's Arguments).

In response, Examiner disagrees. Examiner notes Appellant's arguments, however, Pohlmann discloses An event broker (fig.4, Item 413) configured to register a plurality of event bookings in response to requests from one or more clients, where each the event booking identifies an event which may occur in the future ("...events that

have yet to occur..." col.5, line 36-39) and an action to be taken should the identified event occur (col. 5, lines 3-39); one or more event managers (fig.3, Item 310), where each of the one or more event managers is configured to detect particular types of events; Pohlmann further discloses one or more action handlers (fig.3, Item 350), where each of the one or more action handlers is configured to initiate particular types of actions; where each of the event broker, the clients, the event managers, and the action handlers comprise distinct functional entities; where a first event manager of the one or more event managers is configured to notify the event broker of a first event which corresponds to a first event booking, in response to detecting said first event (figs.3-4, col. 5, lines 67-col 6, lines 19); where the event broker is configured to notify a first action handler which corresponds to the first event booking, in response to receiving notification from the first event manager of the detected first event is (col. 8, lines 1-13); where the first action handler is configured to initiate a first action, in response to receiving notification from the event broker of the detected first event (col. 11, lines 10-26); where a first request of the requests for an event booking identifies a first event which may occur in the future and a first action to be taken upon occurrence of the first event (col 6, Lines 20-35; Col 6, Lines 57-62). Pohlmann teaches registering a plurality of event bookings in response to requests from the client and identifies events that have yet to occur (future events), but silent to where the first request includes a description of the first event using a syntax which is unintelligible to the event broker but which is intelligible to a first event manager of the event managers. However, this deficiency in Pohlmann is disclosed **Warwick**. Warwick discloses in figures 1-3, a system and

method for accessing information made available by a kernel mode driver teaches where a request includes a description of the first event using a syntax which is unintelligible to the event broker but which is intelligible to a first event manager of the event managers (col. 7, line 54-col.8, line 39; col 2, lines 49-65 and fig.5). Hence, Examiner maintains the 103(a) rejection is proper, and should be sustained, since the rejection meets all the claim limitations.

As to the 103(a) rejection of claims 1, 5, 22-25 and 28-29 rejected under 35 U.S.C. 103(a) as being unpatentable over **Lawler et al. (US Pat No 5,699,107)** in view of **Pohlmann et al (6,446,136)** further in view of **Warwick et al (6,598,169)**. Lawler discloses a program reminder system that reminds a user of an interactive viewing system when a pre-selected program is available. Lawler is silent with respect to a first event manager, a first action handler, and an event broker mechanism. Pohlmann discloses a first event manager, a first action handler, and an event broker mechanism as discloses above with respect claim 1. Lawler as modified by Pohlmann, fail to explicitly disclose where the first request includes a description of the first event using a syntax which is unintelligible to the event broker but which is intelligible to a first event manager of the event managers. However, this deficiency is disclosed in Warwick, which teaches a first request includes a description of the first event using a syntax which is unintelligible to the event broker but which is intelligible to a first event manager of the event managers (col. 7, line 54-col. 8, line 39; col. 2, lines 49-65 and figure 5). Hence, Examiner maintains the 103(a) rejection is proper, and should be sustained, since the rejection meets all the claim limitations.

As to Appellant's arguments that one would not be motivated to combine the references, Examiner maintains the test for obviousness is not whether the features of a secondary reference may be bodily incorporate into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. In this case Pohlmann teaches an event management system for dynamic correlation of events. Warwick discloses event management system for managing networks, applications, databases and devices, as such combining the teaching of Warwick with Pohlmann and the other 103(a) rejection would be within the knowledge of one of ordinary skill in the art and appropriate motivation was given. Hence, Examiner maintains the 103(a) rejection is proper, and should be sustained, since the rejection meets all the claim limitations.

**(11) Related Proceeding(s) Appendix**

None

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Annan Q. Shang', with a stylized flourish at the end.

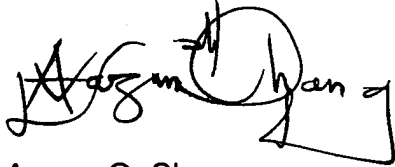
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